

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J & J SPORTS PRODUCTIONS, INC., :

Plaintiff, :

- against - :

SPENCER CINEUS, individually and d/b/a
CITADELLE BAR & RESTAURANT aka
CITADELLE LOUNGE; and CITADELLE
INCORPORATED, an unknown entity d/b/a
CITADELLE BAR & RESTAURANT aka
CITADELLE LOUNGE, :

Defendants. :

: **MEMORANDUM DECISION
AND ORDER**

: 18-CV-5109 (AMD) (PK)

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ANN M. DONNELLY, United States District Judge:

On September 11, 2018, the plaintiff brought this action against the defendants pursuant to the Federal Communications Act of 1934, 47 U.S.C. § 151. (ECF No. 1.) On May 1, 2020, the plaintiff moved for default judgment. (ECF No. 24.) I referred the plaintiff's motion to Magistrate Judge Peggy Kuo for a Report and Recommendation ("R&R").

Judge Kuo issued an R&R on February 8, 2021, in which she recommends that the plaintiff's motion be granted. (ECF No. 25 at 1.) Judge Kuo also recommends that the plaintiff be awarded damages in the amount of \$6,000—\$2,000 in statutory damages, for which the defendants are jointly and severally liable, and \$4,000 in enhanced damages only against Citadelle Incorporated, a business entity that conducted business as Citadelle Bar & Restaurant and Citadelle Lounge. (*Id.* at 16.) No party has filed an objection to Judge Kuo's R&R and the time to do so has passed.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F.Supp.2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted).

I have reviewed Judge Kuo’s thorough and well-reasoned R&R and find no error. Accordingly, I adopt the R&R in its entirety. The plaintiff’s motion for default judgment is granted, and it is awarded a total of \$6,000 in damages. The Clerk of Court is respectfully directed to enter judgment in favor of the plaintiff and close this case.

SO ORDERED.

s/Ann M. Donnelly
ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
March 4, 2021